

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

MARVELL AND ROSYLN DUCKSWORTH

PLAINTIFF

VS.

Cause No.: 3:15-cv-00507-DPJ-FKB

JIM WALTER HOMES, LLC, A FOREIGN LLC, et al.

DEFENDANTS

**AGREED ORDER STAYING PROCEEDING PENDING A RULING BY
THE U.S. BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF ALABAMA
AND EXTENDING CERTAIN PLEADING DEADLINES FOR THE PLAINTIFFS
AND DEFENDANTS [Dkt. No.: 10]**

THIS CAUSE came before the Court on the Joint Motion filed by the Plaintiffs and the moving Defendants, to stay all litigation in this proceeding pending a ruling by the United States Bankruptcy Court for the Northern District of Alabama (“Bankruptcy Court”) as to the Automatic Stay that went into effect in the Bankruptcy Proceedings filed by two Defendants: Jim Walter Homes, LLC and Walter Energy, Inc., that was assigned Cause No.: 15-02741; and, the Court, having duly considered same, finds the Joint Motion well taken.

IT IS THEREFORE ORDERED that all litigation in this matter is stayed. Should the Bankruptcy Court grant the Plaintiffs’ Motion for Relief from the Automatic Stay, the Plaintiff shall have thirty (30) days from the entry of the Order lifting the Stay to file their Motion to Remand and accompanying Brief in Support of Motion to Remand.

IT IS FURTHER ORDERED that should the Bankruptcy Court grant the Plaintiffs’ Motion to Lift the Automatic Stay, the Defendants shall have thirty (30) days from the entry of the Order lifting the Stay to file their Answer or any other Responsive Pleadings they deem necessary given the circumstances.

SO ORDERED AND ADJUDGED this the 7th day of August, 2015.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE

PRESENTED BY ALL MOVING PARTIES:

/s/ Blake Tyler

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MANAGEMENT CORPORATION, A FOREIGN CORPORATION, WALTER ENERGY INC., A
FOREIGN CORPORATION, BEST INSURERS INC., A FOREIGN CORPORATION, W.
STEWART ROBISON, A RESIDENT INDIVIDUAL, MID STATE CAPITAL, LLC, A FOREIGN
LLC, MID STATE TRUST I, A FOREIGN CORPORATION, MID STATE TRUST II, A FOREIGN
CORPORATION, MID STATE TRUST III, A FOREIGN CORPORATION, MID STATE TRUST
IV, A FOREIGN CORPORATION, MID STATE TRUST V, A FOREIGN CORPORATION, MID
STATE TRUST VI, A FOREIGN CORPORATION, MID STATE TRUST VII, A FOREIGN
CORPORATION, MID STATE TRUST VIII, A FOREIGN CORPORATION, MID STATE TRUST
IX, A FOREIGN CORPORATION, MID STATE TRUST X, A FOREIGN CORPORATION, MID
STATE TRUST XI, A FOREIGN CORPORATION, WILMINGTON TRUST COMPANY, A
FOREIGN CORPORATION, MID-STATE CAPITAL CORPORATION 2004-1 TRUST, A
FOREIGN CORPORATION, MID-STATE CAPITAL CORPORATION 2005-1 TRUST, A
FOREIGN CORPORATION, MID-STATE CAPITAL CORPORATION 2006-1 TRUST, A
FOREIGN CORPORATION, MID-STATE CAPITAL TRUST 2010-1, A FOREIGN
CORPORATION & ANNETTE EASON*

/s/ Brian Hinton

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